IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTH DAY OF APRIL TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 19716 of 1998

Between:

1 Durga Chand , S/.o. Hari Chand,
R/o. 16-2-515/A/C,Malakpet, Hyderabad. AEZ 3443
2 Smt.S.Chandra Kala , W/o. S.Krishna,
R/o. 17-1-311/B/c, Santhoshnagar Colony,
Hyderabad. AAZ 5285

..... PETITIONERS

AND

1 The Transport Commissioner, A.P.,
Hyderabad.
2 The Secretary , Regional Transport Authority,
East Zone, Hyderabad.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ order or direction particularly one in the nature of writ of Mandamus declaring the Memo.No. 4606/D1/96 dt.25.5.1996 is illegal arbitrary and violative of Art.14 and 19(1) of the Constitution of India and further declare that the action of the respondents in not entertaining the application for alteration of the Vehicle under section 52 of the M.V.Act is illegal arbitrary and permit the petitioner for alterations along with wheel base the petitioner's vehicle bearing Nos.AEZ 3443 and AAZ 5285,

Counsel for the Petitioner:MR.C.H.RAVI

Counsel for the Respondent No.: GP FOR TRANSPORT

The Court made the following :

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ORDER:

This writ petition is filed questioning memo issued by the first respondent dated 25-5-1996 instructing the Registering Authorities not to permit alterations involving structural changes.

When the matter is taken up for hearing, it is submitted by the learned counsel for the petitioner and conceded by the learned Government Pleader for Transport that the subject matter of this writ petition is squarely covered by the judgment of the Apex Court in

N. Venkateswara Rao vs. S.T.A.[1], wherein the Apex Court elaborately considered the matter and dismissed the appeals and the W.P.No.6211 of 1990 and batch, orders in which were challenged therein.

In the circumstances, following the above judgment, this Writ Petition is also dismissed for the same and similar reasons. No costs.

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N.V. RAMANA, J.

Date: 08-04-2005

tvk

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Transport Commissioner, A.P., Hyderabad.
2 The Secretary , Regional Transport Authority,
East Zone, Hyderabad.

3) 2 CD copies

4) 2 CCs to Government Pleader for Transport, High Court of A.P. Buildings, Hyderabad (OUT)

*Form-NIC-OGS/WP{**MSKM**}*